

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STEELWORKERS OF AMERICA	:	CIVIL ACTION
AFL-CIO/CLC and LEWIS GRIFFIN,	:	
GEORGE HEMMERT, GEORGE KEDDIE	:	
and JANICE SCOTT	:	NO. 05-CV-0039
:		
vs.	:	
:		
ROHM AND HAAS COMPANY and	:	
ROHM AND HAAS COMPANY HEALTH	:	
AND WELFARE PLAN	:	

ORDER

AND NOW, this 28th day of January, 2010, upon consideration of the Cross-Motions for Summary Judgment of the Plaintiffs Lewis Griffin and George Hemmert and Defendants Rohm and Haas Company and Rohm and Haas Company Health and Welfare Plan, it is hereby ORDERED that the said Motions are GRANTED IN PART and DENIED IN PART and Judgment is entered in favor of the Defendants and Against Plaintiffs Lewis Griffin and George Hemmert with regard to their claims of entitlement to the Disability Retirement Allowance without an offset for SSDI benefits.

IT IS FURTHER ORDERED that Judgment be and is entered in favor of Plaintiff George Hemmert and against Defendants with regard to his claim for reinstatement of his Long Term Disability Benefit. Defendants are DIRECTED to reinstate Plaintiff Hemmert's LTD benefits retroactive to July 10, 2007 and this

matter is REMANDED to the Claim Administrator for consideration of Plaintiff Hemmert's current disability status (post-2008) and his possible entitlement to the DRA benefit (with the SSDI offset).

BY THE COURT:

s/J. Curtis Joyner
J. CURTIS JOYNER,

J.